

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DOMENIC J. FALCONE,

Plaintiff,

v.

ALTAROCK ENERGY, INC.,

Defendant.

No. 2:16-cv-00622-RAJ

~~PROPOSED~~ STIPULATED
JUDGMENT

STIPULATION

The parties conferred and stipulate to entry of the judgment in the form set forth below.

By s/ Brendan T. Mangan

Brendan T. Mangan, WSBA #17231

Lauren Rainwater, WSBA #43625

DAVIS WRIGHT TREMAINE LLP

ATTORNEYS FOR PLAINTIFF

By: s/ Ryan Espegar (per approval)

Donald S. Cohen, WSBA #12480

Ryan Espegard, WSBA #41805

GORDON THOMAS HONEYWELL LLP

Thomas M. Farrell, *Pro Hac Vice*

Kate Semmler Cornelius, *Pro Hac Vice*

MCGUIRE WOODS LLP

ATTORNEYS FOR DEFENDANT

I. SUMMARY OF JUDGMENT

1. Judgment Creditor: Domenic J. Falcone
2. Judgment Debtors: AltaRock Energy, Inc.
3. Attorneys for Judgment Creditor: Brendan T. Mangan
Lauren B. Rainwater
Davis Wright Tremaine LLP
Suite 2200
1201 Third Avenue
Seattle, WA 98101-3045
4. Attorneys for Judgment Debtors: Donald C. Cohen
Ryan Espegard
Gordon Thomas Honeywell LLP
600 University Street, Suite 2100
Seattle, WA 98101

Thomas M. Farrell
Kate Semmler Cornelius
McGuire Woods LLP
600 Travis Street, Suite 7500
Houston, TX 77002
5. Amount of Principal Judgment US \$150,000.00
6. Amount of Prejudgment Interest US \$0
7. Awarded attorneys' fees, expenses and costs to date: US \$0
8. **TOTAL JUDGMENT:** **US \$150,000.00**
9. Post-judgment interest on TOTAL JUDGMENT amount To accrue pursuant to 28 U.S.C. § 1961 until judgment satisfied

II. JUDGMENT & ORDER

THIS MATTER originally came before the Court on Plaintiff's Motion to Enforce Settlement Agreement. Pursuant to the Court's January 16, 2018 Order (Dkt. # 39), the Court has found that Domenic J. Falcone ("Falcone") and AltaRock Energy, Inc. ("AltaRock") entered into a valid and enforceable settlement agreement whereby AltaRock agreed to pay Falcone \$150,000 in exchange for settlement and dismissal of the claims at issue in this lawsuit. AltaRock has not paid Falcone the payment due under that settlement agreement.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that:

1. Falcone is granted judgment against AltaRock in the amount of **US \$150,000.00**. This judgment shall bear interest at the statutory rate specified in 28 U.S.C. § 1961 until such time as the judgment is satisfied.

2. All claims that the parties asserted or could have asserted against each other, and each of their past, present and future parents, subsidiaries, affiliates, divisions, officers, directors, owners, principals, members, partners, equity holders, agents, employees, representatives, trustees, marital communities, subcontractors, associations, attorneys, and insurers, and each of their predecessors, successors, and assigns, are released, provided that that the release of claims is effective only upon Falcone's receipt of full payment of the judgment amount from AltaRock.

3. The Consulting Agreement between the parties dated May 1, 2013, is terminated and is of no force or effect.

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4. The Court orders AltaRock to make payment of \$10,000.00 to Falcone by no later than January 24, 2018. The Court further orders the full payment of the remainder of the judgment amount to Falcone by no later than twenty-one (21) business days after entry of this judgment, and to file proof of payment with this Court. This Court retains continuing jurisdiction for purposes of enforcing this judgment.

Dated this 29th day of January, 2018.

Richard A. Jones

The Honorable Richard A. Jones
United States District Judge